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FRONTISPIECE — The Old Queens County Court House, situated on the NW corner of Jericho Turnpike and Herricks Road, in use until 1877.

BACK COVER — The Nassau County Seal, based on the House of Nassau, is a golden rampant lion on an azure blue field, encircled by seven gold billets.

Prepared by
THE
NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS

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COUNTY EXECUTIVE



OFFICE OF THE EXECUTIVE
OLD COUNTY COURT HOUSE, MINEOLA, N. Y.

To the Reader:

The history of this part of Long Island - Nassau County - goes back over 300 years to 1640. This is only 20 years after the Pilgrims landed on Plymouth Rock. Nassau's is a colorful history, the details of which can be found in a number of publications and a summary in the Nassau County brochure, "Your County".

The creation of Nassau County is a history all in itself. It is the story of a group of forward looking citizens who wished to determine their own governmental destiny and, at the turn of the century when the Greater City of New York was formed, they seceded from Queens County.

This publication of the Nassau County Department of Public Information is an authoritative account of how Nassau County became the 61st of the State's 62 counties.

The "Creation of Nassau County" has been printed to impart to all residents of our county - both old and new - factual information on how the nation's greatest suburban county came into being. It is hoped that this publication will be of research value to those studying history and the development of local government.

Nassau will soon open a County Museum in Nassau County Park at Salisbury. Here will be on exhibit precious antiques and relics of our historical past and a complete historical library of many thousands of volumes, maps and documents. As Nassau forges ahead into the future, we will preserve all memorabilia of the past.

A. HOLLY PATTERSON
County Executive



THE
Creation
of
Nassau County

By
EDWARD J. SMITS
Curator, Nassau County Historical Museum

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Mineola, 1960



THE CREATION OF NASSAU COUNTY

In 1643 a small group of colonists led by John Carman and Robert Fordham crossed over Long Island Sound from Connecticut and established a settlement at Hempstead. The group negotiated a deed from the Indians of the area and also obtained a Dutch grant from Governor Kieft of New Amsterdam. This patent of November 16, 1644 gave the original fifty proprietors all the land from the Sound to the Sea from Hempstead Bay to Matthew Garritson's Bay (Little Neck Bay). Most important of its provisions was the one which gave to the patentees and associates full power and authority to erect a body politic or civil combination and to "make and establish civill ordinances amongst themselves." The Englishmen quickly stretched this loose grant and adopted the town meeting as the principal agent of government.

The settlers welcomed the advent of English rule in 1664 when Governor Nicholls captured New Amsterdam and established the colony of New York. In February of 1665 he called a convention of delegates at Hempstead. Captain John Underhill and Matthew Harvey represented Oyster Bay, which had grown tremendously since its settlement in 1653. Hempstead sent John Hicks and Robert Jackson. The delegates adopted what are now known as the Duke's Laws, which provided both a code of civil law and a constitution for the new colony.

In 1683 Governor Dongan called another representative assembly, which created the counties of New York. Queens County included the towns of Hempstead and Oyster Bay. Local government within the area was conducted almost entirely by the town meetings. The meeting's main function was the distribution and control of the town's lands but it also decided upon local improvements such as roads and school houses. It also made all sorts of regulations concerning animals, grazing lands, fines, fences, and granted economic privileges such as mill rights. The meeting also provided for the poor of the town and support of local militia.

The independent people of the area soon began to chafe under the strict rule of the crown. Monopolies granted city millers greatly angered local farmers and millers. Resentment over the settling of ministers upon the towns by the Royal Governors also was a frequent source of friction. This resentment toward the arbitrary rule of the Governors simmered during the early 1700's. In 1766 a Committee of Sons of Liberty was formed in Oyster Bay. On March 6th it sent a letter to the Committee in New York City acquainting them with their organization and resolved, "the Stamp act is destructive of these our liberties, is by us deemed to be arbitrary and unconstitutional, that as such we will to the utmost of our power endeavor to oppose and suppress the same." They also voted approval of the methods of the New York Committee and stood ready to assist them. Following this measure the voters of Queens County sent instructions in December of 1768 to their Assemblymen, Zebulan Seaman and Daniel Kissam, "on the subversion of the grand characteristic of the British Constitution, taxation by representation." They also complained that duties caused a languishing of trade and withdrawal of specie, and that credit was declining and paper currency depreciating. They wished the Assembly to send a remonstrance to the King to obtain a removal of grievances and also a respectful letter to the Committee in Massachusetts in reply to theirs.

As the Revolutionary fervor moved inexorably onward a wide division became apparent within the populace of Queens County. Although recognizing the shortcomings of colonial rule, many residents could not bring themselves to the point of revolution. This was especially so in Hempstead. Its citizens had always been conservative both from tradition and rural interest. Many factors committed the community to preserve the status quo, among them were the established officials, church influence, large land holders and the numerous peace loving Quakers. They were able to assume an air of impartiality until 1775 when the

call went out for delegates to the first Provincial Congress. Hempstead answered the call with a resolution citing its reasons for affirming allegiance to King George. Since the Assembly had petitioned the King and sent other remonstrances, they were not willing to take part in any hasty action that might frustrate these efforts. On October 21, 1776, the Loyalists in the county presented an address to Governor Tryon saying that:

"We, freeholders and inhabitants of Queens County are happy . . . anxiously do we look forward to the period when the disobedient shall return to their duty. . . . We entreat your Excellency to present our petition . . . in behalf of the well-effected county of Queens, that it may again, in the bosom of peace, enjoy the royal favor, under your Excellency's paternal care and attention."

The eastern towns of Queens split geographically over the Revolution with the northern necks definitely in support of the Revolutionary cause. There had been a long standing difference between the northern and southern areas caused by animosity over land rights, and from the fact that the largely mercantile leadership of the millers and merchants on the North Shore felt a close affinity to the Revolutionary interests in New England. In the spring of 1775 these northern necks formed a committee and attempted to cooperate with Congress. However, so serious was the Loyalist opposition that in September the necks sent a communication to Congress saying that:

"taking into our serious consideration our distressed and calamitous situation and being fully convinced of our total inability to pursue proper measures for our common safety, while we . . . are considered as part of the township of Hempstead . . . we be no further considered as part of the Township."

They then elected a town committee of Benjamin Sands, Adrian Onderdonck and John Farmer and formed a militia company.

The Continental Congress now resolved to act and in

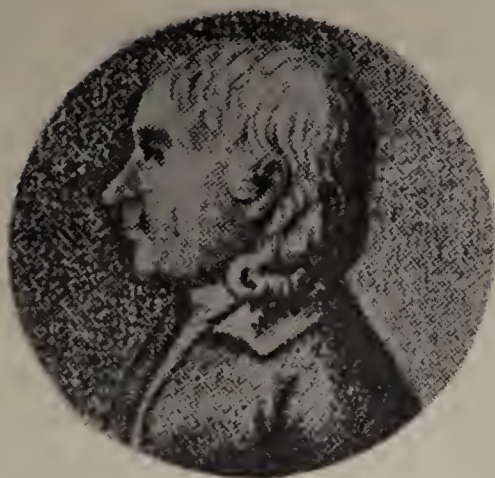
January of 1776 proclaimed that a majority of the inhabitants of Queens County were "incapable of resolving to live and die freemen" and "should be excluded from its protection and prevented from doing injury." It then sent troops into the county to force allegiance to the Congress and to arrest twenty-six leaders of the Loyalists. Over four hundred signatures were obtained and most of the leaders were imprisoned. During the following months until the successful British capture of New York and Long Island, there was a continual strife between Continental authorities and the Tory elements in the county.

The British occupation lasted until 1783 but had little effect on the government of Hempstead and Oyster Bay. Other than a change in personalities, the town continued to exercise its powers, and little mention of the occupation is given in the town minutes. However, the split that developed in 1775 was finalized as soon as freedom was won. In March of 1784, Benjamin Ackley and other inhabitants of North Hempstead petitioned the Legislature for a division of the Town of Hempstead. While the bill was pending, a joint town meeting in April voted to hold two separate meetings and to divide the town property. On April 6th, the act to divide the township passed the Legislature providing:

"All that part of said township of Hempstead north of the county road that leads from Jamaica nearly through the middle of Hempstead Plain to the east part thereof, shall be included in one township; and be hereafter called and known by North Hemsptead."

The remaining part was called South Hempstead but subsequently, the name was changed back to Hempstead in 1801. The act also provided that inhabitants of either town would continue to enjoy rights of oystering, fishing and clamming in the waters of the other.

One outstanding governmental leader arose from the area during the Revolution and ensuing federal period.



Samuel Jones, first Comptroller
of New York State

Samuel Jones of Oyster Bay was a well-known lawyer in New York City. In 1786, he and Richard Varick made the first revision of New York Statutes for which Jones received the appellation "Father of the New York Bar." The next year he was a representative to the New York Ratifying Convention and moved the compromise resolution giving

conditional approval to the new Constitution if a Bill of Rights was added. He later, in 1796-99, became the first Comptroller of New York State. His active and valuable public service reduced much of the stigma attached to this area because of its Loyalist feelings.

The county government after the Revolution began to assume more prominence and power. The state and federal governments adopted it as the common unit of organization, and the people began to have a county consciousness in addition to their town allegiance. Queens County's court was held originally at Jamaica in a Court House and Jail building which was built in 1670. After much agitation the building was altered in 1724, but during the Revolution the British had torn the building down for lumber.

As soon as peace was declared both the eastern and western towns petitioned the Legislature to have the new court house erected in their respective areas. Since a preponderance of the county's population was in the eastern towns the Legislature passed an Act on March 1, 1785, allowing £2,000 to be raised to erect a new building on a site in the geographical center of the county. The Court House and Jail were constructed within a mile of Windmill Pond near the house of Benjamin Cheeseman on the southerly bounds of the Town of North Hempstead. Operations

of the Court were severely criticized by Cadwallader D. Colder, Assistant Attorney General, in January of 1799 when he said:

“the court of Queens County is at all times the least orderly of any court I ever was in. The entry of the court house is lined on court days with the stalls of dram sellers and filled with drunken people, so as to be almost impassable.”

The Court House was surrounded by bleak farm lands. This provoked the comment that:

“the village called North Hempstead where the courts are held . . . hardly deserves a local name or notice but that the courts are held there. The location of this public building . . . upon an almost naked and barren heath, remote from the conveniences of more populous districts, furnishes an admirable comment on blind adherence to geographical centers.”

A great deal of dissatisfaction grew among lawyers and judges, and by 1860 a strong demand existed for removal of the Court House to Jamaica.

Other than the Court House there were no other county office buildings until 1833 when the Clerk and Surrogate obtained offices at Jamaica. Prior to this time they conducted official business from their homes. The county officers during the 1800's were a County Judge, District Attorney, Sheriff, Coroners, Treasurer, County Clerk, School Commissioner, Superintendent of Poor, and Plank Road Inspectors. Administration was mainly centered in the field of judicial functions with supervision of the poor and schools a regulatory function rather than actual administration.

The Clerk registered deeds and wills and functioned much as they do in the present day. Public works prior to the Civil War were very limited and the road network was primarily maintained and constructed by the town. The county inspected and regulated the numerous private turnpike companies which were well organized in Queens

County. As early as 1818 the Jericho Turnpike Company was organized, and this, with the North Hempstead Turnpike and the Merrick-Jamaica Plank Road, provided three main arteries through the north, south and center of the county.

Although the county functions were becoming more significant, the town meeting still continued as the primary government force in the early 1800's. However new developments were appearing which were to have profound influence on Queens County. For a long time the population of Queens increased very slowly. Little effort was made to induce settlement and since transportation facilities were extremely poor, intercourse with Brooklyn was difficult.

In 1855, Hempstead still was the most populous area of the county with 10,477 out of 46,266 residents. The Civil War and industrial growth in New York City rapidly changed this, and by 1865 the towns of Flushing, Jamaica and Newtown surpassed the three eastern towns by 5,000. During this period the eastern towns remained practically the same in size, although the Town of North Hempstead began to sell off its common lands during the early 1800's and some settlement occurred. Hempstead did not sell its common lands until 1869 when a great area was sold to the merchant A. T. Stewart who developed Garden City on it.

The disposal of the common lands was a continual campaign issue between the Whigs and Democrats during the early 1800's, and at the annual sheep parting celebration the Whigs always displayed a large poster, "Opposed to Selling the Marshes and Plains." Throughout the early 1800's the political scene in Queens County was turbulent as in most of the country. In 1818 Federalists Daniel KISSAM, Stephen Carman and John A. King were elected to the Assembly over the Tammany candidates. Stephen Carman was a remarkable candidate, standing for election to the Legislature from Hempstead from 1788 to 1819, he was elected twenty one times.

For the election of 1825 the Republican slate was op-

posed by candidates nominated at a meeting "friendly to the rights of the people." This unidentified party went on to defeat the Republican slate. Jackson supporters won the county elections in 1828. The ethnic composition of the populous at this time is revealed by a slogan of Daniel Smith an independent candidate for coroner of the Town of Hempstead.

"Every Dutchmen, Scot and Yankee
Give me Your vote and I'll humbly thank ye"

In 1844 the Locofocos ran a winning ticket in Oyster Bay; the Whigs captured Hempstead; and North Hempstead remained Democratic. This same year the County Board of Supervisors proposed a vote to determine sentiment about the erection of a new Court House. Since no probable location was indicated, little interest was shown in the measure and the vote was in the negative.

The Democratic Party was definitely in the majority during these years and in a hard campaign in 1856 defeated the American (Know-Nothing) ticket in the county. William Onderdonk, a popular attorney, ran contrary to the vote, though, and won as District Attorney on the Know-Nothing slate. His election was typical of the many cases of popular candidates who in these small communities could and did run well ahead of their parties.

During the 1840's, the political independence of the area is evidenced by a movement among its citizens. Several meetings were held at which Alden J. Spooner, Gabriel Furman, Silas Wood and John A. King joined in facetious debates over whether a State of Long Island should be created. In the 1850's King turned his attention to a bigger venture, when the present Republican Party was born. In 1854 all the counties of New York called mass meetings, one being held on August 9th at the Court House in North Hempstead. John A. King called the meeting to order and led an excited group of 200 persons who strongly disapproved of the repudiation of the Missouri Compromise.

A county committee was formed with William T. Mc-

Coun of Oyster Bay, Warren Mitchell of North Hempstead and John W. DeMott of Hempstead representing the eastern towns of the county who adopted the new party most readily. In the election of 1860 the Republicans carried the



John A. King, Governor
of New York State, 1857

Towns of Hempstead and North Hempstead but in the fall elections the county went Democratic as usual. In addition to John A. King, who rose to the Governorship in 1857, this area was represented in the state government by David Richard Floyd-Jones. He served terms in the Assembly, Senate, as Secretary of State in 1861, and Lieutenant Governor in 1863.

During the decade of the Civil War, the new party became most strongly entrenched in the eastern towns. Also as time passed, the increasing population of the western towns threw the political balance in their favor and the farmers of eastern Queens were to lose their potent political power. Their strong sense of independence, nurtured since their ancestors obtained self government from the Dutch, was to be aggravated by the encroaching dominance of the developing urban areas of New York City. The eastern towns would not accede easily and the years after the Civil War were to be ones of conflict, politically based but geographically oriented.

As soon as the echoes of the Civil War had died down, the discontent among the western Queens towns over the county Court House location flared into the open again. During 1868 strong efforts were made to gain support for movement of the county buildings. A bill was introduced in the State Legislature in February, 1869 with the powerful support of western Queens' residents. The new Court

House bill provided that \$200,000 could be raised to erect a new Court House and named a Board of appointed Commissioners who would have complete authority in regard to the location and construction of the buildings.

The eastern towns were not to be defeated so easily. They began a counter attack on February 9, 1869 at a meeting held at Searing's Hotel at Mineola. William T. McCoun was appointed chairman of the meeting, and Samuel Jones of Oyster Bay and George H. Shepard of Huntington were chosen secretaries. Excited discussion took place on the formation of a new county with the name Nassau. The proposed county was to include Hempstead, North Hempstead, Oyster Bay and Huntington. George S. Downing suggested that Islip and Smithtown (towns in adjacent Suffolk County) also be asked to join the plan. A considerable discussion was provoked by this proposal with much uncertainty over including these other towns outside of Queens County. James A. Searing and William T. McCoun were appointed to draft a bill to create the new county.

Queens County Assemblyman James B. Pearsall introduced the bill in the State Legislature which called for the creation of a county from the three eastern towns of Queens and the Suffolk towns of Huntington, Smithtown and Islip. Before much momentum was built up, representatives from the Suffolk towns indicated that their residents were opposed to the bill. At the Assembly committee hearing on the bill Mr. Hinsdale from Flushing presented a vigorous and resounding attack against it. Benjamin D. Hicks and James Searing spoke in favor of it, contending that residents of the area affected desired the change. The bill was strongly supported by Carman Cornelius, Hempstead Town Supervisor, and in early April it was ordered to a third hearing without opposition. However, this was a meaningless move by the Assembly, for the Senate committee handling the bill dealt it the death blow by contending it violated the constitutional provision against dividing assembly districts.

Thwarted in their efforts to create a new county, the eastern county political leaders nevertheless were victorious in defeating the new Court House measure which also died in committee. Since the end of the Civil War, the Democratic Party had had almost complete control of the Queens County government. Strongly organized in the western towns, it won the county-wide offices and usually two of the three Supervisorships of the eastern towns.

To counteract the Democratic pressure for movement of the county seat to the western part of the county, North Hempstead Republicans now had a bill introduced in the Legislature to remove the County seat of Queens and appoint seven commissioners to erect a Court House and Jail. The controversial parts of the bill were the sections providing that the buildings would be located at the Village of Mineola and naming of the commissioners who were the present Board of County Supervisors. Immediately opposition from the residents appeared. The Hempstead and Jamaica Democratic organizations strongly protested, and a non-partisan petition of 1,000 names from Oyster Bay was presented against the bill. Adding irritation to the situation was the fact that the Board had already spent as much as \$8,000 on renovation of the Old Court House in the fall of 1871. Moreover the fact that the Board members were named Commissioners when they were not seeking reelection in the Spring, led to the feeling that this was a means of retaining office on their part.

At the Assembly hearings, Isaac Cocks, Henry Eastman and John H. Searing, all Republicans from North Hempstead, supported the bill. District Attorney Benjamin Downing spoke of the necessity for a new building. However, due to the vociferous opposition a clause was inserted in the bill providing that the Board of Supervisors could provide another site within three months after the passage of the Act. The outgoing Board of Supervisors had selected a site in 1871 but had not acquired title to it.

The new Board, unanimously Democratic, voted down

a motion to fix the location at Hempstead by a vote of six to one. Several attempts at conciliation of the interests of the different areas were made by the majority party but it could not change the prevailing attitudes. The eastern towns meant to have the county seat there and were determined to persevere. Finally on August 2nd, the last day of the deadline, the Board met at Mineola. On the eighth ballot, Long Island City was chosen when Supervisor Remsen of North Hempstead broke and voted with the three western Supervisors.

During the construction of the building, a great deal of friction occurred between the Commissioners and the Board of Supervisors who felt their powers were being usurped. In 1874 the Supervisors were unsuccessful in having the act repealed, but the next year they succeeded in ousting the Commissioners. After they took over, it was found that the Commissioners had spent \$18,000 over their original appropriation and that \$100,000 additional would be necessary to complete construction. Such large scale spending was scandalous to the towns of Hempstead, Oyster Bay and North Hempstead. Their Supervisors repeatedly refused to approve the extra money but finally at a meeting lasting until midnight on March 18, 1876, the Jamaica Supervisor switched from his economy stand and voted for the measure. The new Court House was opened on March 28, 1877. This signaled the final triumph of the urban western area of the county over the rural eastern half.



After winning the Supervisorship of North Hempstead and a State Assembly seat in 1876, the Republicans began a new campaign. Benjamin D. Hicks, chairman of the citizens' committee for the erection of a new county, and Assemblyman Elbert F. Jones led the fight. A bill was introduced in the Legislature providing for the erection of "Ocean" County from the three eastern towns of Queens and Huntington and Babylon, towns of Suffolk County on the Queens boundary. Losing no time, the Queens Board of Supervisors held a special meeting on February 13, 1877 attended only by the western town Supervisors. The group resolved,

"Whereas, no good or sufficient reason has been presented, or is known to this Board, why Queens County should be dismembered, but, on the contrary every reason exists why no such action should be taken by the present legislature; now therefore

Resolved, that this Board do most emphatically protest against the Division of Queens County, and earnestly urge our members of the Assembly . . . to prevent the passage of said bill."

At the next meeting the Supervisors of Hempstead, Oyster Bay and North Hempstead entered a strong protest against the "proceedings of some members of the Board of Supervisors purporting to be a meeting of said board . . . as being illegal and . . . that the same being held in a different place from the place named in the minutes of clerk of February 5."

North Hempstead Supervisor Samuel Willets, the lone Republican on the board, was supported fully by popular opinion in his town. At a special meeting on February 14, former Assemblyman Stephen Taber offered a resolution seconded by Benjamin Hicks stating that "the people of this town have on various occasions heretofore expressed their almost unanimous approval of the erection of said new county, both by petition and by resolution when in town meeting."

At the first committee hearing on the bill, former Assemblyman Cock presented a resolution adopted at the last Hempstead town meeting and a petition from Huntington in favor of the proposed county. Support for the proposal also came from George S. Downing the Democratic Supervisor from Oyster Bay. However, opponents from Suffolk, led by Elbert Carll, Supervisor of the Town of Babylon, opposed the measure and contended that they had not had sufficient notice of the meeting and asked for a second hearing. The opposition was fully aroused for this meeting on March 15, and representatives from Suffolk County thoroughly berated the plan. John M. Crane of Jamaica attacked the proposal contending:

"In approaching the discussion of the bill, I am reminded of the old woman whose husband had for a long time been extremely ill and to whose dissolution she appeared to look forward with emotion of the most poignant grief, but who on hearing that he would probably recover, held up her hands and cried, 'Lor of Mercy, how the old fellow hangs on'. . . . It is a subject, Sir, that has irritated and agitated . . . our people for more than a quarter of a century."

The bill was reported out of committee but met vigorous opposition in the Legislature. Assemblyman George E. Bulmer of Jamaica addressed the Assembly on May 15, answering proponents of the bill who charged that it was unduly expensive to stay over night in the city.

"This law will make it no more convenient for residents to get to the Court House . . . I have heard of a man from that section (eastern Queens) who once, by mistake gave a hostler, for holding his horse, a twenty five cent piece instead of a nickel, and when he discovered his mistake he drove back sixteen miles to rectify the error, and with a borrowed horse at that."

He went on to charge that the division would be financially bad and would destroy one of the finest agricultural societies in the state.

Although Assemblyman Jones made a strenuous effort to get the bill passed, it was defeated on third reading, 56 to 42. The opposition of the powerful Democratic forces in western Queens and the unfortunate inclusion of the Suffolk towns had spelled the doom of another attempt to create a new county. Making the victory more bitter, the Queens County Supervisors then proceeded to repair and fit out the Old Court House near Mineola for use as a County Insane Asylum. Over a hundred patients were accommodated in the antiquated building which continued in this use until the 1890's.

In addition to its other functions, the county government now began to develop an extensive road system. The private turnpikes had become unprofitable by now, and maintenance was extremely poor. To placate the demands of the residents and provide inter-town roads of equal quality, the county began to take over some of the main arteries of travel in the 1880's. By the early 1890's, Jericho Turnpike, Merrick Road and other major roads had been taken into the county road system, and extensive construction work on the roads was begun, much of it in the undeveloped eastern towns.

Just as things seemed to be going smoothly within the county, a far greater disturbance than any before appeared. As early as 1848 it had been suggested that parts of Queens, Westchester, Kings and Richmond should be combined with New York in one big city. Little was done until 1857 when the Metropolitan District was formed to provide unified police and health protection in the area. Although the act was repealed it was the initial step toward consolidation of a greater New York.

Soon the movement gained a leader in Andrew H. Green, who led thirty years of civic agitation for the establishment of a greater New York City. In 1890 the Legislature authorized a committee to investigate the problem of New York City. Under the chairmanship of Green, it recommended consolidation, but the Legislature refused to

act until 1894 when it passed a law providing for a referendum by the people affected. Outside of Long Island City, the vote in Queens County was only 51 percent in favor of consolidation. The eastern towns were not included in the bill and did not vote. Influenced by the approval of the people and the support of Republican boss Thomas Platt, the Legislature passed the law in March of 1896 creating Greater New York.

The final boundaries of the act included all of western Queens and that part of Hempstead west of a line drawn from Flushing between Rockaway Beach and Shelter Island to the ocean. Thus the consolidationists had left out the three eastern towns of Queens apparently because they could offer little to the city but would continue to need much public spending. A contemporary writer indicates this feeling when he wrote "chapters might be written of the cowpaths that were paved by granite blocks." Seth Low and other members of the City Club in a petition to the Legislature had protested that the consolidation bill would force annexation of territory "that has . . . been deprived for a long time of local improvements."

On January 1, 1898, about one-third of Queens County became a borough of New York City. The three eastern towns were still part of Queens County but outside the city.



Benjamin D. Hicks, the
'Father of Nassau County'

Immediately the citizens united to change this intolerable situation. On January 22nd, a county-wide meeting was held at Allens Hotel in Mineola. Benjamin D. Hicks of North Hempstead was again elected chairman of the citizens' meeting. In recognition of his long years of leadership in striving for an independent county for the three towns of Hempstead,

Oyster Bay and North Hempstead, Hicks well deserves to be called the "Father of Nassau County." A popular, and successful Quaker banker, he was an intelligent man and an active participant in all types of community improvement.

As Secretary, the meeting chose Archer B. Wallace, son of the Assemblyman, and proceeded to discuss the situation. J. B. Coles Tappen of Oyster Bay moved:

"Resolved that it is the sense of this meeting that the towns of Hempstead, North Hempstead and Oyster Bay withdraw from the County of Queens, and that a new county to include the said towns be formed."

A few dissidents took up the question of alternative actions. W. W. Cock of North Hempstead favored annexation to Suffolk County while John H. Carll wanted to join New York City. The question of inclusion of Huntington and Babylon was brought up by Fred Herzog Sr. of Oyster Bay but Tappen and Pearsall declared that it would be impossible to get such a measure through the Legislature. D. N. Munger appropriately closed the subject by stating that they should consider not what should be taken in but what barnacles should be taken off. James Ludlam of Oyster Bay then offered a motion which was unanimously adopted, as follows:

"Whereas, It is for the best interests of the citizens of the town of Hempstead, North Hempstead and Oyster Bay to withdraw from the County of Queens.

Resolved that . . . Supervisors Underhill, Smith and Denton be requested to obtain authority . . . to expend a sum, not exceeding \$250 for each town in defraying any expenses . . . in drafting and preparation of such bills as may be necessary to carry into effect the desire of the people to have a county free from entangling alliance with the great city of New York."

To pursue the action a committee was appointed composed of the following: P. Halstead Scudder of Oyster Bay, Lott Vanderwater and William G. Miller of Hempstead,

Joseph H. Bogert and Wilbur Lewis of North Hempstead, James Pearsall and James H. Ludlum of Oyster Bay. The meeting closed with the proposal of names for the county as follows: Matinecock by Edward N. Townsend of Hempstead, Norfolk by J. B. Coles Tappen of Oyster Bay, Nassau by Archer B. Wallace of Hempstead and Bryant by William G. Miller of Hempstead.

The committee met at Pettit's Hotel, Jamaica, on February 5th and adopted the draft of a bill. After spirited discussion the name Nassau was adopted and the bill given to Assemblyman George Wallace. The Democratic leadership in Queens County could not reconcile itself to losing this large area from its control and moved to oppose the bill. The headlines in the *Long Island Farmer*, a newspaper representing Democratic thought in Jamaica, protested; "New County Nonsense", "Some More Fool Bills." It contended that a number of prominent men asked to be taken into greater New York and that District Attorney Youngs (a Republican) had expressed himself as opposed to creation of a new county.



Interior of first Nassau County Court room

THE CREATION OF NASSAU COUNTY



Temporary Nassau County Court House, 1899, formerly the truck house of the Mineola Hook and Ladder Company

Assemblyman Wallace submitted the bill to the Statutory Revision Committee for an opinion on its constitutionality and then introduced it into the Assembly on February 17th. It was referred to the Internal Affairs Committee which gave a hearing on March 4th, at which only supporters appeared. Assemblyman Cyrus B. Gale of Jamaica fought the bill bitterly when it was reported to the floor of the Assembly on March 30th, during the last week of the Legislature. It passed both Houses and was sent to Governor Black.

On April 26th the Supervisors from the Queens wards voted to appear before Governor Black and oppose his signing the bill. Governor Black received the Queens delegation and a delegation of citizens from the eastern towns at the same time. Townsend Scudder, Counsel to the Board of Supervisors, argued against the bill urging its defeat because it would be expensive. He also contended that Nassau County would have no public property and that the timing was wrong because of the war. Despite an agreement with

Benjamin Hicks to share the audience he took up all the time allowed the delegations. Then Hicks simply assured the Governor it was a wise measure desired by the taxpayers of the territory included in the new county. Governor Black signed the bill providing for the erection of Nassau County on January 1, 1899. Since its organization came under previous general county laws, the bill only specified what the six elective offices should be and provided that all the county records would be retained by Queens except those of the County Engineer concerning the Nassau area.

In the spring elections of 1898, Republicans Smith Cox and Augustus Denton had been elected Supervisors from Hempstead and North Hempstead while Oyster Bay elected William H. Jones, a Democrat. These men would constitute the first Board of Supervisors but the remaining county officers had to be elected at a general election in November of that year. On October 4th, both parties held nominating conventions at Mineola. The Democratic convention was harmonious. It nominated for the most important offices Robert Seabury for County Judge, and James P. Niemann for District Attorney.

In contrast, the Republican convention, held in Fireman's hall at Mineola, was the scene of a fierce intraparty battle. Ex-Senator John Lewis Childs, chairman of the county committee, controlled the convention. His slate of nominations was vigorously opposed by William Youngs, Republican State Committeeman and District Attorney of Queens County. Childs' candidate for County Judge, George Wallace, won over Youngs' candidate on the first formal ballot, thirty nine to thirty three. Edward Cromwell, Childs' choice for District Attorney also won. Although badly defeated, Youngs moved to make the nominations unanimous. Theodore Roosevelt, foremost resident of Nassau County, had taken no direct part in this battle, but after his election he appointed William J. Youngs as his confidential secretary. This undoubtedly indicated where his sentiments were but actually helped Republican

unity in the county by removing one of the sources of friction.

This intraparty strife was the beginning of trouble for the Republicans. Queens County Clerk John Sutphin would not accept their nominations until court proceedings were taken and Justice Wilmot Smith decided favorably on Nassau's constitutionality. The election campaign was tightly fought with the Republicans harassed by the internal split in their party and also a scandal that erupted in the administration of the Justice of Peace courts. Despite these handicaps, the G. O. P. carried the majority of the County Offices. They lost the most critical two, however. James P. Niemann captured the District Attorney's office by seventeen votes, 4,749 to 4,732 and Robert Seabury won as County Judge, 4,818 to 4,702, for the Democratic victories.

Republicans captured the remaining four offices, Thomas Patterson as County Clerk, Henry N. W. Eastman as County Treasurer, William Wood as Sheriff, and George D. Smith as Superintendent of the Poor. Voters also decided in the election the location of any county buildings. They had a choice of a spot one mile from the station of the Long Island Railroad in the villages of Hempstead, Hicksville, or Mineola. The towns of Oyster Bay and North Hempstead supported Mineola, and it won, 5,280 to 3,396, for Hempstead.

Thus Nassau County came into existence on January 1, 1899, encompassing an area of 274 square miles. At the first meeting of the new Board of Supervisors, the truck house of the Mineola Hook and Ladder Company was chosen as the temporary home of the County Court. The Board also adopted a coat of arms and seal for the county. County colors of orange and blue were adopted and used in the flag. The seal was a crest with the golden rampant lion of the House of Nassau on an azure blue field, encircled by seven gold bars.

Salaries were then determined for the various officials;



The Old Court House, Mineola, built in 1900-01

the Treasurer, Clerk and Sheriff were voted \$2,000, the District Attorney \$1,500 and the Superintendent of the Poor, \$500. J. Seymour Snedeker was chosen Clerk of the Board and Carrie Hicks, County Stenographer and Librarian. The Garden City Company, which controlled the vast project started by A. T. Stewart, offered the county a large site for county buildings. Although the site was actually in Garden City, on the southern boundary of Mineola, the land was accepted.

The new county government immediately buckled down to work. Ahead loomed the pressing problems of debt, personal property and land apportionment with Queens County, and the institution of all governmental services and facilities for the whole county. County officials smoothly effected the transfer and within three years, the cornerstone of a new courthouse was laid, symbolizing the permanence of the new county.

The creation of Nassau County was the result of half a century of direct effort by its citizens to avoid outside domination. Their desire for home rule has been duplicated in local government throughout the United States. The first half of the 20th century would see this new county surge to the forefront of American local government—always primarily guided by the principle of home rule—and pioneer in the institution of efficient and effective public service.







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